

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)
)
Plaintiff,) **ORDER**
)
vs.)
)
)
) Case No.: 4:10-mj-007
Hector Francisco Varela-Duarte,)
a/k/a Ernesto Ortiz-Armenta,)
)
Defendant.)

On March 4, 2010, the court received a Waiver of Preliminary Hearing executed by the defendant as well as by defense counsel.

The court finds that the defendant, having had an opportunity to consult with counsel, freely and voluntarily, and knowingly and intelligently waived his right to a preliminary hearing. Based upon this waiver, the court finds that there is probable cause to believe that the defendant may have committed the offense alleged in the complaint. Accordingly, the court **ORDERS** that the defendant be bound over to the United States District Court to answer to the charges set forth in the complaint.

Dated this 5th day of March, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge